



Town of Dumfries
Council Meeting

Meeting Date: February 18, 2014

Agenda Item# VIII-F

AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

- ☐ CONSENT AGENDA
☐ PRESENTATION
☐ ACTION ITEM
☐ TOWN MANAGER & STAFF COMMENTS
☐ PUBLIC HEARING
☐ Duly Advertised

PURPOSE OF ITEM:

- ☐ INFORMATION ONLY
☐ DISCUSSION ONLY
☒ DISCUSSION AND/OR DECISION
☐ Introduction ☐ Resolution
☐ Ordinance ☐ Grant/MOU
☒ By Motion ☐ Bylaws
☐ Certificate

PRESENTER: Richard West

PRESENTER TITLE: Director of Public Works

AGENDA ITEM:

Ordinance to Repeal Article III Identification and Inspection of Rental Dwelling Units Section 14-95 through 14-173, relating generally to the identification and inspection of rental units

BACKGROUND / SUMMARY:

Town Council adopted Ordinance Number O-2011-009 on May 17, 2011, establishing Article III, Identification of Rental Dwelling Units Section 14-95 through 14-173. On November 12, 2013, Council adopted Ordinance Number O-2013-013, Article IV, Chapter 14, Sections 14-190 to 195 establishing the Virginia Maintenance Code, which makes O-2011-009 unnecessary.

ATTACHMENTS:

Ordinance to Amend the Code by Repealing Article III, Identification and Inspection of Rental Dwelling Units Sections 14-95 Through 14-173, Relating Generally to the Identification and Inspection of Rental Units

Resolution to Authorize the Town Manager to Advertise for a Public Hearing

Notice of Public Hearing

REQUESTED ACTION:

☐ NO ACTION REQUESTED

Move the Resolution to Authorize the Town Manager to Advertise a Public Hearing to Repeal Article III Identification and Inspection of Rental Dwelling Units Section to the Consent Agenda

FOR MORE INFORMATION, CONTACT:

Phone#: 703 221-3400

Name:

Richard West

E-mail:

rwest@dumfriesva.gov

FOR USE DURING MEETING

Y N

☐ ☐ Brewer
☐ ☐ Reynolds
☐ ☐ Wood

Y N

☐ ☐ Foreman
☐ ☐ Toney

VOTE:

☐ PASSED

☐ NOT PASSED

Y N

☐ ☐ Forrester
☐ ☐ Washington

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON MAY 7, 2014, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY , AND SECONDED BY , THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;
Gerald M. Foreman, II, ;
Kristin W. Forrester, ;
Helen D. Reynolds, ;
Willie J. Toney, ;
Gwen P. Washington, ;
Derrick R. Wood, ;

**ORDINANCE TO AMEND THE CODE OF THE TOWN OF
DUMFRIES, VIRGINIA, AS AMENDED, BY REPEALING ARTICLE
III. IDENTIFICATION AND INSPECTION OF RENTAL DWELLING
UNITS SECTIONS 14-95 THROUGH 14-173, RELATING GENERALLY
TO THE IDENTIFICATION AND INSPECTION OF RENTAL UNITS**

WHEREAS, a review of the Dumfries Town Code shows there are two ordinances in effect regarding a minimum standard of maintenance and care for residential properties; and

WHEREAS, it is in the public interest, health, safety and welfare that the Town Council adopt a maintenance code to provide for minimum standards of maintenance for residential properties in Town; and

WHEREAS, Town Council discussed the matter at their August 20, 2013, meeting and directed staff to move forward with scheduling a public hearing on an ordinance to adopt the Virginia Maintenance Code of the Virginia Uniform Statewide Building Code to require property owners to adhere to a minimum standard of maintenance for residential properties, and

WHEREAS, Town Council requested the Town Manger advertise a public hearing at its September 3, 2013, meeting; and

WHEREAS, Town Council held a duly advertised public hearing on October 1, 2013; and

WHEREAS, with the adoption of the Virginia Maintenance Code, the ordinance passed on May 17, 2011, relating generally to the identification and inspection of rental units has become unnecessary; and

WHEREAS, Town Council requested the Town Manger advertise a public hearing at their April 1, 2014 meeting to repeal Article III to Chapter 14, Sections 14-95 through Section 14-173, and

WHEREAS, Town Council held a duly advertised public hearing on April 1, 2014.

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Dumfries on this the 7th day of May, 2014, that the Code of Ordinances, Town of Dumfries, Virginia, as

amended, is further amended by repealing Article III, to Chapter 14, Sections 14-95 through Section 14-173 and is enacted as follows:

1. That the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by repealing Sections 14-95 through 14-173 as follows:

ARTICLE III. IDENTIFICATION AND INSPECTION OF RENTAL DWELLING UNITS

DIVISION 1. GENERALLY

~~Sec. 14-95. Purpose and intent of article.~~

~~The sections of this article are hereby enacted so as to bring the Code into compliance with Code of Virginia, § 36-105.1:1.~~

~~Sec. 14-96. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Codes compliance administrator means the property maintenance official, and his or her technical assistants.~~

~~Codes compliance office means the department of community development.~~

~~District means a rental housing inspection district designated by the Town Council pursuant to this article.~~

~~Dwelling unit means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household. The term "dwelling unit" shall not include hospitals, nursing homes, convalescent homes or similar facilities providing medical care to the aged, infirm or disabled.~~

~~Multiple family development means any structure, consisting of ten or more dwelling units under common ownership and occupied for valuable consideration. The term "multiple-family development" shall not include mobile homes under common ownership in a mobile home park or subdivision; nor shall such term include single family detached dwellings, duplex dwellings, or townhouse dwellings under common ownership.~~

~~Owner means the person or entity shown on the current real estate assessment books or current real estate assessment records of the town or the fee simple owner of the property if ownership has changed since such tax assessment records were last updated.~~

~~Residential rental dwelling unit means a dwelling unit that is leased or rented to one or more tenants on a month to month basis or for any period in excess of 30 days including, but not limited to, condominiums, manufactured or mobile homes, single family detached dwellings, duplex dwellings, townhouse dwellings or multifamily dwellings (which shall include efficiency apartments and condominiums). However, a dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and~~

~~sleeping areas, and a bathroom, unless otherwise provided in chapter 70, zoning, by the town.~~

~~Violations; conditions which affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit include items that violate fire safety; lack of or poor condition of sanitary facilities; absence of adequate heating systems or equipment; items which affect the safe operation of electrical and mechanical systems; items which affect structural integrity of the building and/or the ability of the building envelope to keep out weather, or one or more other conditions that, if not corrected, would be reasonably expected to become conditions that affect the safe, decent and sanitary living conditions of the occupants, or other conditions that violate the provisions of the Virginia Uniform Statewide Building Code, or multiple building code violations that indicate, in their totality, the dwelling unit is not being properly maintained.~~

~~Sec. 14-97—14-120. Reserved.~~

~~DIVISION 2. RENTAL INSPECTION DISTRICTS~~

~~Sec. 14-121. Factors for establishing rental inspection districts.~~

~~After holding a duly advertised public hearing as required by Code of Virginia, § 36-105.1:1.C.1, the town council finds that within the inspection districts described in section 14-122:~~

~~(a) — There is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the designated rental inspection districts;~~

~~(b) — The residential rental dwelling units within the designated rental inspection districts are either:~~

~~(1) Blighted or in the process of deteriorating; or~~

~~(2) The residential rental dwelling units are in the need of inspection by the codes compliance administrator to prevent deterioration, taking into account the number, age and condition of residential dwelling rental units inside said rental inspection districts; and~~

~~(c) — The inspection of residential rental dwelling units inside the rental inspection districts is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the rental inspection districts.~~

~~Sec. 14-122. Rental inspection districts established.~~

~~(a) Based upon the findings of the town council as set forth in section 14-121, the areas included and hereby declared to be rental inspection districts which are subject to the requirements of this ordinance are those districts described in subsections (b) and (c) of this section and designated on an official map showing the rental inspection districts. Said map is hereby adopted as a part of this article, and shall be available for public inspection in the codes compliance office. Said districts are hereinafter referred to collectively as "inspection districts" and individually as "inspection district."~~

~~(b) The rental inspection districts designated on the official map were selected after consideration of the criteria set out in this subsection. Buildings and units in the various districts did not have to display all of these criteria in order to establish a district, and the criteria were not given equal weight. The town council will deselect a district or change its designation upon finding that the criteria listed in this subsection no longer merit inclusion in a rental inspection district.~~

- (1) Dilapidation of buildings and other structures.
- (2) Obsolescence of buildings and other structures.
- (3) Overcrowding.
- (4) Faulty arrangement of design.
- (5) Lack of ventilation, light and sanitary facilities.
- (6) Excessive land coverage.
- (7) Deleterious land use or obsolete layout.
- (8) Excessive litter and trash.
- (9) The proportion of rental units to total units.
- (10) ——— Any violations of current building regulations for existing residential buildings, as set out in the Virginia Uniform Statewide Building Code, as in effect on the date of the adoption or amendment of the official map.

(e) — The town council may designate a rental inspection district on the official map after receipt of a petition signed by the property owner from at least two-thirds of the housing units in the district, after amendment of the homeowners association covenants to request inclusion in the inspection district, or upon redesignation of an existing district. The town manager shall forward the petition or the amended covenants to the town council along with a report which rates the district based on the criteria in subsection (b) of this section for informational purposes and which provides a recommendation for action. The town council shall may designate a district as an inspection district if it finds that such areas are in danger of deteriorating to a condition similar to that which exists in the inspection districts. The town council will deselect an inspection district upon making a finding that the area is no longer in danger of deterioration. A homeowners association may petition for exclusion from an inspection district by amendment of its covenants. (Ord. of 7-5-2005, § 1(4-99))

Sec. 14-123. Applicability.

The provisions of this division shall apply to residential rental dwelling units located within the districts identified in section 14-122 and shall apply to certain structures located outside of such districts but meeting the requirements of section 14-146(e).

Sees. 14-124—14-144. Reserved.

DIVISION 3. NOTIFICATION AND INSPECTION

Sec. 14-145. Notification.

(a) The codes compliance office shall give written notice by personal delivery or first class U.S. mail to all property owners located within the inspection districts of the requirement to notify the codes compliance office of any real property of the owner located in an inspection district that is a residential rental property as defined in section 14-96. The mailing of said notice by the codes compliance administrator shall be deemed sufficient notice for purposes of this article.

(b) The owner of any residential rental dwelling unit located within an inspection district shall notify the codes compliance office in writing within 60 days that said property is a residential rental dwelling unit. Such notice and information shall be submitted on a form provided by the codes compliance office. The form shall require the following information:

- (1) Address of the residential rental dwelling unit.
- (2) The name of each owner of the residential rental dwelling unit and the street address of the primary residence of each owner of the residential rental dwelling unit.
- (3) The name and street address of any responsible party or designee other than the

owner.

(c) — Within 30 days of giving the notification required under subsection (b) of this section, the owner shall contact the codes compliance office and arrange for an initial inspection of the residential rental dwelling unit by the codes compliance administrator.

(d) — The owner of any residential rental dwelling unit located in an inspection district shall within 30 days of title transfer, notify the codes compliance office of any change of ownership of the residential rental dwelling unit.

(e) — Any owner who fails to timely give any notice as required by this section shall be in violation of this article and shall be subject to such penalties and enforcement remedies as provided in section 14-146. However, failure to give timely notice in accordance with subsection (b) of this section shall not be deemed a violation if the codes compliance administrator has not complied with subsection (a) of this section. In any event, the sole penalty for the willful failure of an owner of a dwelling unit who is using the dwelling unit for residential rental purposes to comply with the written notification requirements shall be a civil penalty of up to \$50 as provided in §14-172.

~~Sec. 14-146. Inspection and certificate required.~~

(a) — The owner of each residential rental dwelling unit located in an inspection district shall obtain and permit an initial inspection upon the establishment of a rental inspection district in accordance with this article and subsequent inspections of such residential rental dwelling unit as provided in this section and section 14-147. Inspections under this article shall be conducted by the town's codes compliance administrator who is charged with the enforcement of this article. Inspections under this article must be conducted in conjunction with the written notifications as provided in section 14-145. If the unit to be inspected is occupied at the time of a required inspection, it shall be the duty of the owner thereof to notify the occupants of such inspection and make the residential rental dwelling unit available for inspection.

(b) — If inspection reveals that a residential rental dwelling unit has no violations, or has only one or more violations that do not affect the safe, decent and sanitary living conditions for persons living in such unit, the codes compliance administrator shall issue a 48-month certificate of compliance for such unit. The issuance of a certificate of compliance shall not be evidence of a lack of any and all building code violations, and shall not prevent the codes compliance administrator from conducting follow-up inspections regarding building code violations in the residential rental unit, whether or not the violations affect the safe, decent and sanitary occupancy of said unit. If a follow-up inspection reveals that the owner has failed to remedy the noted violations by specified date, the codes compliance administrator shall issue a notice of violation, revoke the 48-month certificate of compliance and the unit shall thereafter be subject to annual inspections pursuant to section 14-147.

(c) — If inspection of a residential rental dwelling unit reveals one or more violations, the codes compliance administrator shall not issue a certificate of compliance until the violations are satisfactorily remedied. If conditions warrant, however, the codes compliance administrator may require that the residential rental dwelling unit be vacated or remain unoccupied until brought into compliance, pursuant to his authority under Code of Virginia, § 36-98 et seq., the Virginia Uniform Statewide Building Code. Upon compliance, the codes compliance administrator shall, as provided in section 14-147, issue an annual certificate of compliance.

(d) — No annual inspection pursuant to this article shall take place more than one time each calendar year, calculated from the date of the issuance of the certificate of compliance, should additional inspections be necessary to achieve compliance. However, nothing in this article shall modify the authority of the codes compliance administrator to conduct any other inspections, including follow-up inspections as provided in subsection (b) of this section, as allowed under the provisions of the Virginia Uniform Statewide Building Code, and inspections for obtaining a certificate of compliance under this article do not supplant or preclude any other inspection authorized under the Virginia Uniform Statewide Building Code.

(e) — A building or structure meeting the definition of a residential rental dwelling unit but located outside of an inspection district shall nevertheless be subject to the terms of this article on the following basis: town council makes a separate finding for said individual residential rental dwelling unit based upon the criteria set out in section 14-122(b) to determine such individual residential rental dwelling merits inclusion in the rental inspection district. Upon said finding by the town council, said residential rental dwelling unit shall be subject to this article, notwithstanding its location outside the inspection districts.

(f) — Should It shall be a violation of this article for the owner to fail to timely contact the codes compliance office within the required time in order to schedule any inspection required under this article, or should suchfor the owner to fail to allow such inspection to proceed on the date for which it was scheduled, the owner shall be guilty of an offense. Each day that such a violation continues shall constitute a separate offense.

~~Sec. 14-147. Certificates of compliance; applications and exemptions.~~

(a) — ~~The following shall apply to all residential rental dwelling units located within inspection districts, which are not exempted under subsection (b) of this section. However, a residential rental dwelling unit for which a current certificate of compliance has been issued prior to July 1, 2005, shall not be subject to further inspection under this article for a period of 48 consecutive months from the month next following the month of issuance of such preexisting certificate of compliance; provided however, that during such period the preexisting certificates of compliance shall be subject to revocation and upon first to occur of revocation or expiration of the 48 month period such unit shall be subject to reinspection on the same basis as a certificate of compliance issued under subsection (a)(3) of this section.~~

(1) ~~The initial inspection of each residential rental dwelling unit which is subject to inspection under this article unless the initial inspection is delayed under subsection (a) of this section, shall take place no later than 120 days from the date that the owner thereof contacts the codes compliance office to schedule such inspection. However, should the owner of a residential rental dwelling unit which is subject to inspection under this article, fail to give timely notice as required by section 14-145, the codes compliance administrator shall inspect such unit within a reasonable time of becoming aware of such unit. Each residential rental unit for which a certificate of compliance as described in subsection (a)(3) of this section has been issued shall be again inspected within 30 days from the expiration of the 48 month certificate of compliance or expiration or earlier revocation of an annual certificate of compliance.~~

a. — ~~Prior to expiration of the certificate of compliance, or upon earlier revocation of a certificate of compliance, the owner of the residential rental dwelling unit covered thereby shall contact the codes compliance office and arrange for an inspection of such unit.~~

b. — ~~As to building code violations which do not affect the safe, decent and sanitary living conditions for persons living in such unit, and provided that all inspection fees shall have been remitted in advance to the issuance of such temporary certificate of compliance, the codes compliance administrator shall issue one temporary certificate of compliance, valid for 30 days and may permit such extensions thereof, as the codes compliance administrator shall deem reasonably necessary to allow for remediation of the violations. However as to building code violations which pose a threat to the safe, decent and sanitary living conditions for persons living in such unit, then the codes compliance administrator shall not issue a temporary certificate of compliance.~~

~~e. — Temporary certificates of compliance shall expire upon the earlier of their stated expiration date or the completion of an inspection which finds all violations satisfactorily remedied.~~

~~(2) Unless a residential rental unit in an inspection district receives a 48-month exemption from inspection under this article, the term of a certificate of compliance issued for any residential rental dwelling unit in an inspection district, shall be for a term of 12 months beginning with the first day of the month next following the month of issuance.~~

~~(3) A residential rental dwelling unit which upon inspection under this article reveals no violations, or with only one or more violations of such code that do not affect the safe, decent and sanitary living conditions for persons living in such unit, shall not be subject to further annual inspection under this article for 48 months from date of such annual inspection, except as provided in section 14-146. However, if a residential rental dwelling unit is found in violation of the Uniform Statewide Building Code during the term of such 48-month certificate of compliance, the codes compliance administrator may revoke such 48-month certificate of compliance and such unit shall there upon become subject to annual inspections and the issuance of annual certificates of compliance. If an annual certificate of compliance is issued after the inspection necessitated by the violation of the Virginia Uniform Statewide Building Code and revocation of the extended certificate of compliance, then said residential rental dwelling unit shall again be eligible for an extended certificate of compliance only after the annual certificate of compliance has expired and as of the first subsequent annual inspection when no violations are found.~~

~~(b) — The following shall be exempt from the requirements of this article for the time periods indicated:~~

~~(1) No inspection of a newly constructed residential rental dwelling unit located in an inspection district shall be required within 48 months of the issuance of a certificate of occupancy for such newly constructed unit. Thereafter said unit shall in all respects become subject to the requirements of this article.~~

~~(2) All hotels, motels, inns, bed and breakfast establishments, and other similar facilities to the extent occupied by transients shall be exempt from compliance with this article.~~

~~(3) All residential rental dwelling units owned by or leased by an agency of the commonwealth, the town, or the county, shall be exempt from compliance with this article so long as said dwelling units are operated by such agency in carrying out its public purpose.~~

~~Sec. 14-148. Multiple-family developments.~~

~~(a) — If a multiple-family development contains more than ten residential rental dwelling units, in the initial and annual inspections, the codes compliance administrator shall inspect no less than two units and not more than than ten percent of the residential rental dwelling units.~~

~~(b) — Notwithstanding the number of residential rental dwelling units inspected, the codes compliance administrator shall charge the fee authorized by this article for inspection of no more than ten dwelling units.~~

~~(c) — If the codes compliance administrator determines, upon inspection of the dwelling units in accordance with subsection (a) of this section, that there are within one or more of such units or the building, same violations of the Virginia Uniform Statewide Building Code that affect the safe, decent and sanitary living conditions for the tenants of such multiple-family development, the codes compliance administrator may inspect as many dwelling units as he deems reasonably necessary to assure compliance with the building code in which case, the fee shall be based upon a charge per dwelling unit inspected,~~

~~notwithstanding the provisions of subsection (b) of this section.~~

~~Sec. 14-149—14-170. Reserved.~~

DIVISION 4. CERTIFICATE ISSUANCE, INSPECTION FEES AND ENFORCEMENT

~~Sec. 14-171. Issuance of certificate; fees.~~

~~(a) — Except as provided in section 14-148, there shall be an inspection fee charged as established by the town uncodified fee schedule for the inspection of each dwelling unit. If repairs or corrections are deemed necessary by the codes compliance administrator, and a reinspection is required, the additional fee shall be charged for the reinspection as established by the town uncodified fee schedule. In addition, if subsequent reinspections are required, there shall also be charged an additional fee per dwelling unit for each subsequent reinspection as established by the town uncodified fee schedule. No reinspection shall be performed, nor any certificate of compliance be issued, unless all fees have been paid.~~

~~(b) — Requests for an inspection may be made by telephone; provided that, the codes compliance administrator shall, in all cases, receive notice from the owner and payment of the applicable inspection fees prior to conducting any inspection required under this article.~~

~~(c) — The codes compliance administrator shall issue a 48-month certificate of compliance, as provided in section 14-147 if, upon inspection, the codes compliance administrator finds that the residential rental dwelling unit does not have any violations. The 48-month certificate of compliance may be issued immediately upon completion of an inspection in which no violations are found.~~

~~(d) — If the dwelling unit fails to comply with any one or more provisions of the Virginia Uniform Statewide Building Code, and any amendments thereto, the codes compliance administrator shall furnish the owner with a written list of specific violations. Failure to list any violation shall not be deemed a waiver of such violation. Upon the completion of all corrections and repairs, the owner shall arrange a reinspection of the residential rental dwelling unit. Reinspection shall be for the purpose of determining compliance by the owner with the written list of specific violations furnished to the owner by the codes compliance administrator. However, if upon reinspection, the codes compliance administrator discovers other violations that were not listed on the written list of specific violations previously furnished to the owner, the codes compliance administrator shall furnish the owner with a supplemental list of violations and shall provide the owner a reasonable opportunity to correct the same. This provision, however, shall not preclude the codes compliance administrator from revoking the 48-month certificate of compliance if the subsequently discovered violations pose an immediate threat to the safe, decent and sanitary living conditions for persons living in such unit or if the violations have not been corrected pursuant to sections 14-146 and 14-147.~~

~~(e) The town council shall set the inspection fees by uncodified ordinance.~~

Sec. 14-172. — Civil Penalty.

The sole penalty for the willful failures of an owner to comply with the written notification requirement shall be a civil penalty of \$50.00.

Sec. 14-173. — Criminal Penalties.

(a) — It shall be unlawful for any owner or managing agent to fail to comply with the requirements contained in this article.

(b) — Unless otherwise provided herein, the penalties imposed for a violation of this

~~article shall be penalties provided in the Code of Virginia, §36-106. Each day such violation continues shall constitute a separate punishable offense.~~
~~(c) — If any violation remains uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation and to bring the property into compliance with the building code. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within six months of the date of conviction. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense.~~

This ordinance shall become effective on May 7, 2014.

BY ORDER OF COUNCIL:

Gerald M. Foreman, Mayor

ATTEST:

Dawn Hobgood, Town Clerk

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON TUESDAY, MARCH 4, 2014, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;
Gerald M. Foreman, II, ;
Kristin W. Forrester, ;
Helen D. Reynolds, ;
Willie J. Toney, ;
Gwen P. Washington, ;
Derrick R. Wood, ;

**RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO
ADVERTISE FOR A PUBLIC HEARING TO AMEND THE CODE OF
THE TOWN OF DUMFRIES, VIRGINIA, AS AMENDED, BY
REPEALING ARTICLE III. IDENTIFICATION AND INSPECTION OF
RENTAL DWELLING UNITS SECTIONS 14-95 THROUGH 14-173,
RELATING GENERALLY TO THE IDENTIFICATION AND
INSPECTION OF RENTAL UNITS**

WHEREAS, a review of the Dumfries Town Code shows there are two ordinances in effect regarding a minimum standard of maintenance and care for residential properties; and

WHEREAS, in the public interest, health, safety and welfare the Town Council adopted on October 1, 2013, the Virginia Maintenance Code of the Virginia Uniform Statewide Building Code requiring property owners to adhere to a minimum standard of maintenance for residential property; and

WHEREAS, with the adoption of the Virginia Maintenance Code, the ordinance passed on May 17, 2011, relating generally to the identification and inspection of rental units is unnecessary; and

WHEREAS, Town Council requests the Town Manger advertise a public hearing at its April 1, 2014, meeting.

NOW, THEREFORE, BE IT RESOLVED by Town Council that the Town Manager is authorized to advertise for a public hearing to be held on April 1, 2014, to consider repealing Article III, Identification and Inspection of Rental Dwelling Units, Sections 14-95 through 14-173.

By Order of Council:

Gerald M. Foreman, Mayor

ATTEST:

Dawn Hobgood, Town Clerk

NOTICE OF PUBLIC HEARING

**BY THE TOWN COUNCIL
OF THE TOWN OF DUMFRIES, VIRGINIA ON**

**April 1, 2014 at 7:00 PM
or as soon thereafter as may be heard
Located at 17755 Main Street, Dumfries, VA 22026**

The Town Council of the Town of Dumfries hereby gives notice of a public hearing to consider a proposed ordinance amendment that would repeal Article III Identification and Inspection of Rental Dwelling Units Section 14-95 through 14-173, relating generally to the identification and inspection of rental units.

All supporting material is available for public inspection at the Office of the Town Clerk at 17755 Main Street, Dumfries, Virginia 22026 between the hours of 8:30 AM and 5:00 PM; M-F. The public hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or needing to discuss accommodation of a disability should contact the Town Clerk at 703-221-3400 or dhobgood@dumfriesva.gov during normal working hours.

Please post on March 19, 2014 and March 26, 2014.